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UNITED STATES DISTRICT COURT

MAY 26 2006

District of Hawaii

at 9 o'clock and 45 min. AM  
SUE BEITIA CLERK

LIMU COALITION and KILAUEA NEIGHBORHOOD  
ASSOCIATION,

Plaintiff

V.

JAMES H. PFLUEGER; PFLUEGER PROPERTIES, and  
PILA'A 400, LLC  
Defendant

NOTICE, CONSENT, AND ORDER OF REFERAL  
EXERCISE OF JURISDICTION BY A UNITED STATES  
MAGISTRATE JUDGE

Case Number: CIVIL NO. 02-00521 SPK BMK

LODGED

**NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE  
TO EXERCISE JURISDICTION**

MAY 25 2006  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

In accordance with the provisions of 28 U.S.C. §636(c), and Fed.R.Civ.P. 73, you are notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case including a jury or nonjury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of this district court.

**CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with provisions of 28 U.S.C. §636(c) and Fed.R.Civ.P. 73, the parties in this case consent to have a United States magistrate judge conduct any and all proceedings in this case, including the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

Party Represented	Signatures	Date
Plaintiffs Limu Coalition, et al.	<u>David T. T. Lee</u>	05/22/06
Defendants James H. Pflueger, et al.	<u>Walter H. O'Perry</u>	5/24/06

**ORDER OF REFERENCE**

IT IS ORDERED that this case be referred to Barry M. Kurren  
United States Magistrate Judge, to conduct all proceedings and order the entry of judgment in accordance with 28 U.S.C.  
§636(c) and Fed.R.Civ.P. 73.

MAY 26 2006

Barry M. Kurren  
United States District Judge

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED  
ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.